

1 ANTHONY M. PEREZ, JR., Bar No. 113041
aperez@perezlawoffices.com
2 **PEREZ LAW OFFICES**
455 Capitol Mall, Suite 231
3 Sacramento, CA 95814
Tel: (916) 441-0500
4 Fax: (916) 441-0555

5 CHARLES L. POST, Bar No. 160443
cpostl@weintraub.com

6 BRENDAN J. BEGLEY, Bar No. 202563
bbegley@weintraub.com

7 Darrin M. Menezes, Bar No. 202729
dmenezes@weintraub.com

8 **WEINTRAUB TOBIN CHEDIAK COLEMAN GRODIN**
Law Corporation
9 400 Capitol Mall, 11th Floor
Sacramento, CA 95814
10 Telephone: (916) 558-6000
Facsimile: (916) 446-1611

11 Attorneys for Plaintiff

12 [Additional Counsel Listed on Following Page]

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

17 VALERIE CASHON, on behalf of herself
and all others similarly situated,

18 Plaintiff,

19 v.

20 KINDRED HEALTHCARE
21 OPERATING, INC., a Delaware
Corporation; GENTIVA CERTIFIED
22 HEALTHCARE CORP., a Delaware
Corporation; and DOES 1 through 15
23 inclusive,

24 Defendants.

Case No. 3:16-cv-04889 RS

**JOINT STIPULATION TO FURTHER
EXTEND DEADLINE TO FILE MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT AND
HEARING ON MOTION FOR
PRELIMINARY APPROVAL;
~~PROPOSED~~ ORDER**

1 ELIZABETH STAGGS WILSON, Bar No. 183160
2 estaggs-wilson@littler.com

3 **LITTLER MENDELSON, P.C.**
4 2049 Century Park East, 5th Floor
5 Los Angeles, CA 90067.3107
6 Telephone: 310.553.0308
7 Facsimile: 310.553.5583

8 ALISON CUBRE, Bar No. 257834
9 acubre@littler.com
10 LISA LIN GARCIA, Bar No. 260582
11 llgarcia@littler.com

12 **LITTLER MENDELSON, P.C.**
13 333 Bush Street, 34th Floor
14 San Francisco, CA 94104.2842
15 Telephone: 415.433.1940
16 Facsimile: 415.399.8490

17 ANGELO SPINOLA, *appearance pro hac vice*
18 aspinola@littler.com

19 **LITTLER MENDELSON, P.C.**
20 3344 Peachtree Road NE, Suite 1500
21 Atlanta, GA 30326
22 Telephone: 404.233.0330
23 Facsimile: 404.233.2361

24 Attorneys for Defendants
25 KINDRED HEALTHCARE OPERATING, INC. and GENTIVA
26 CERTIFIED HEALTHCARE CORP.
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1 Plaintiff VALERIE CASHON ("Plaintiff") and Defendants KINDRED
2 HEALTHCARE OPERATING, INC. and GENTIVA CERTIFIED HEALTHCARE CORP.
3 ("Defendants") (collectively, the "Parties"), through their respective counsel, hereby stipulate,
4 subject to Court approval, as follows.

5 WHEREAS, on November 19, 2017 the parties participated in mediation in this
6 action;

7 WHEREAS, on November 28, 2017, Plaintiff filed a Notice of Proposed Class
8 Settlement and Request for Preliminary Approval Hearing Date [Dkt No. 58] in which Plaintiff
9 informed the court of a proposed settlement and sought a motion for preliminary approval of class
10 action settlement hearing date in late January 2018;

11 WHEREAS, on November 28, 2017, the Court issued an Order Staying Currently Set
12 Date and Setting Schedule for Preliminary Approval [Dkt No. 59] in which the Court ordered the
13 parties to file the motion for preliminary approval by January 11, 2018 and set the hearing regarding
14 preliminary approval on February 1, 2018 at 1:30 p.m. in Courtroom 3;

15 WHEREAS, the Parties have previously requested and the Court approved the
16 Parties' request to move the deadline to file the motion for preliminary approval [Dkt Nos. 61-64;
17 70-73];

18 WHEREAS, the current deadline for Plaintiff to file her motion for preliminary
19 approval is March 13, 2018;

20 WHEREAS, the Parties have been and continue to work diligently to prepare the
21 long-form stipulation regarding class settlement but have not yet finalized that agreement;

22 WHEREAS, the parties need further additional time to finalize that agreement after
23 which the motion for preliminary approval can be filed and heard;

24 WHEREAS, the parties believe that it would be most efficient for the parties and the
25 Court to continue the deadline regarding motion for preliminary approval;

26 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to
27 Court approval, as follows:

28 ///

1. The deadline for Plaintiff to file her motion for preliminary approval currently scheduled for March 13, 2018 shall be continued to March 27, 2018; and

2. The hearing on Plaintiff's motion for preliminary approval currently scheduled for March 29, 2018 shall be continued to April 12, 2018 or the Court's earliest available hearing date thereafter.

IT IS SO STIPULATED.

Dated: March 13, 2018

/s/ Darrin M. Menezes

ANTHONY PEREZ
CHARLES L. POST
BRENDAN J. BEGLEY
DARRIN M. MENEZES
Attorneys for Plaintiff
VALERIE CASHON

Dated: March 13, 2018

/s/ Lisa Lin Garcia

ELIZABETH STAGGS WILSON
ALISON J. CUBRE
LISA LIN GARCIA
ANGELO SPINOLA
Attorneys for Defendants
KINDRED HEALTHCARE OPERATING,
INC., and GENTIVA CERTIFIED
HEALTHCARE CORP.

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Dated: March 13, 2018

By: /s/ Lisa Lin Garcia
Lisa Lin Garcia

1 ~~[PROPOSED]~~ ORDER

2 Having considered the Parties' Joint Stipulation to Further Extend Deadline to File
3 Motion for Preliminary Approval of Class Action Settlement and Hearing on Motion for Preliminary
4 Approval, and good cause appearing therefor, the Court hereby orders as follows:

5 1. The deadline for Plaintiff to file her motion for preliminary approval is hereby
6 continued from March 13, 2018 to March 27, 2018;

7 2. The hearing on Plaintiff's motion for preliminary approval shall be set on
8 April 26, 2018 at 1:30 pm.

9 **IT IS SO ORDERED**

10
11 Dated: 3/14/18


HON. RICHARD SEEBORG

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